

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

APOGEE RETAIL LLC d/b/a  
UNIQUE THRIFT STORE

and

Cases 27–CA–191574  
27–CA–198058

KATHY JOHNSON

ORDER APPROVING STIPULATION, GRANTING MOTION,  
AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the National Labor Relations Board upon the joint motion of Respondent Apogee Retail LLC d/b/a Unique Thrift Store and the General Counsel (collectively, the parties) to waive a hearing and decision by an administrative law judge and to transfer the proceedings to the Board for a decision based on the stipulated record.

On August 30, 2018, the General Counsel, through the Regional Director for Region 27, issued an amended consolidated complaint and notice of hearing alleging that, at all material times, the Respondent has maintained certain rules in its nationwide Code of Business Conduct and Ethics and its nationwide Loss Prevention Manual and, by doing so, has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.<sup>1</sup>

---

<sup>1</sup> On July 13, 2017, former General Counsel Richard F. Griffin, Jr., issued an Order Transferring Cases 27–CA–191574 and 27–CA–198058 from Region 27 to Region 19. On September 22, 2017, the General Counsel, through the Regional Director for Region 19, issued an order consolidating cases, consolidated complaint and notice of hearing.

On October 18, 2018, the parties filed a joint motion and stipulation of facts with the Board. Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly to the Board for findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the joint motion is granted and the case is transferred to and continued before the Board in Washington, D.C., for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the stipulated record, which includes a stipulation of facts, Joint Exhibits 1 through 13, a statement of the issues presented, and statements of position by the Respondent and the General Counsel, is approved and made part of the record.

The parties may file briefs with the Board in Washington, D.C., on or before January 3, 2019, and answering briefs 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington D.C., December 13, 2018.

By direction of the Board:

Roxanne L. Rothschild

---

Acting Executive Secretary

---

On August 22, 2018, General Counsel Peter B. Robb issued an Order Transferring Cases 27–CA–191574 and 27–CA–198058 from Region 19 back to Region 27.